

**SECRET**

OGC Has Reviewed

OGC 65-2481

13 AUG 1965

**MEMORANDUM FOR: Deputy Chief, WH Personnel**

**SUBJECT:                      Resignation of Employee Overseas Within One  
                                 Year of Being Granted Home Leave**

25X1C4a      1. You have requested our opinion as to whether an Agency employee [REDACTED] who resigns within one year of his return abroad after home leave is required to reimburse the Government for his travel expenses. It is generally the policy of the Agency to allow travel benefits in accord either with the regula-

25X1C4a      [REDACTED]  
are somewhat more lenient in this respect.

2. In cases in which the employee resigns abroad, the Agency does not require reimbursement for the cost of return travel to the field from the United States after home leave or for the cost of the terminal travel to the United States, provided the resigning employee has not violated his service agreement and has served at least six months since returning abroad from home leave. It has long been the opinion of this Office that neither an extension of overseas tour nor the granting of home leave interrupts a period of continuous service abroad for purposes of applying the terms of the employee's overseas service agreement. Thus, if the employee has served abroad for a period of twenty-four months, returns to the United States for home leave, and then to the field, he is not required to execute a new overseas agreement.

**SECRET**

GROUP 1  
Excluded from automatic  
downgrading and  
declassification

**SECRET**

3. You have stated that the employee in this case has not served six months abroad upon return from home leave in the United States before resigning in the field. Thus, [REDACTED] requires the employee to refund payment for his travel unless waived by the Director of Personnel. We would think from the facts you have related that this would be an appropriate case for his attention.

25X1A

[REDACTED]

25X1A9a

**Assistant General Counsel**

**cc: Director of Personnel**

*v.10*

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